

**REMARKS**

This Amendment is submitted in response to the Office Action dated May 6, 2004, having a shortened statutory period set to expire August 6, 2004. Claims 1-102 are pending. Applicants have amended Claims 1, 10, 11, 21, 32, 33, 42, 43, 53, 64, 65, 68, 78 and 89 and canceled Claims 31, 63 and 88. No new matter has been entered by these amendments.

**Examiner Interview**

Applicants appreciate the courtesy extended by the Examiner in conducting a telephone interview on August 4, 2004. Though the Examiner reserved judgment on the merits of the claims until such time as Applicants submit this response to the present Office Action, Applicants appreciate the patience and attention devoted to the Applicants' arguments during the teleconference.

**Claim Rejections -- 35 U.S.C. § 112**

In section 7 of the present Office Action, Claims 11, 21, 31, 32, 43, 53, 63, 64, 68, 78 and 88 are rejected under 35 U.S.C. § 112, second paragraph. Applicants have amended those claims to overcome this rejection and believe that this rejection no longer applies.

**Claim Rejections -- 35 U.S.C. § 102 and § 103**

In section 9 of the present Office Action, Claims 1, are rejected under 35 U.S.C. § 102(a) and (e) as being clearly anticipated by *Del Giorgio*, United States Patent No. 5,899,502. Further, in section 11 of the present Office Action, Claims 2, 5, 15-17, 20, 22, 23, 31, 34, 37, 47-49, 52, 54, 55, 63, 66, 72-74, 77, 79, 80, 88, 91-93, 95 and 97-99 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over *Del Giorgio* as applied to Claims 1, 33, 65, 89 and 96 above, and further in view of *Neuhaus*, United States Patent No. 5,832,466. In section 12 of the present Office Action, Claims 3, 4, 6-9, 35, 36, 38-41 and 94 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over *Del Giorgio* as applied to Claims 1, 33 and 89 above, and further in view of *Diaz, et al.*, United States Patent No. 5,890,128. In section 13 of the present Office Action, Claims 11, 12, 21, 26, 27, 32, 43, 44, 53, 58, 59, 64, 68, 69, 78, 83, 84, 90 and 101 have been rejected under 35 U.S.C. § 103(a), as being unpatentable over *Del Giorgio* as applied to Claims 1, 33, 65, 89 and 96 above, and further in view of *Ecer*, United States Patent No. 5,412,564. In section 14 of the present Office Action, Claims 19, 28-30, 51, 60-62, 76, 85-

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87, 100 and 102 have been rejected under 35 U.S.C. §103(a), as being unpatentable over *Del Giorno* as applied to Claims 1, 33 65 and 96 above, and further in view of *Halverson*, United States Patent No. 6,301,564. In section 15 of the present Office Action, Claims 24, 25, 56, 57, 81 and 82 have been rejected under 35 U.S.C. §103(a), as being unpatentable over *Del Giorno* as applied to Claims 1, 33 and 65 above, and further in view of *Szabo*, United States Patent No. 5,954,640. Those rejections are respectfully traversed and reconsideration of the Claims is requested.

Independent Claims 1, 33, 65 and 89 in the present application have been amended to incorporate the limitation of:

*"in response to receiving a meal plan selection from among said at least one meal plan, updating a kitchen budget according to cost of cooking related supplies utilized for said meal plan selection"*

A review of *Del Giorno*, *Heuhaus*, *Diaz, et al.*, *Ecer*, *Halverson*, and *Szabo* nowhere reveals any disclosure or suggestion of a capability for updating a "kitchen budget according to cost of cooking related supplies utilized for said meal plan selection." None of the cited references in the present Office Action discuss the financial aspects of the meal plans or food preparation or such a meal plan's impact on a kitchen budget. Moreover, a thorough review of the Examiner's rejections also fails to reveal any argument by the Examiner that the references cited in the present rejections disclose such element. Consequently, Applicants respectfully submit that the claims in the present application as presently amended are not shown or suggested in the prior art, and that Claims 1-88 are now in condition for allowance.

With respect to Claims 89-102, Applicants similarly find no showing or suggestion of the present invention as claimed therein and that the rejection of those claims should also be withdrawn. For example, with respect to exemplary independent Claim 96 in the present application, therein is recited, *inter alia*:

*"filtering said plurality of electronic recipes at said electronic cookbook controller according to specifications for a particular household, such that only a selection of said plurality of electronic recipes that are preparable according to said specifications for said particular household are*

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*accessible at said electronic cookbook controller."*

As recited, independent Claim 96 recites a filtering function that only permits certain recipes to be accessible at the electronic cookbook controller. The Examiner has rejected Claim 96 as being anticipated by *Del Giorno* in section 9 of the present Office Action. However, nowhere does *Del Giorno* describe or suggest such a filtering function whereby the filtering is a function of "specifications for a particular household." Consequently, Applicants respectfully submit that Claims 89-102 in the present application are not shown or suggested by the prior art references cited in the present Office Action and that the rejection of those claims under §102 and §103 should be withdrawn.

Respectfully submitted,



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